NOTE: This order is nonprecedential.

United States Court of Appeals for the Federal Circuit

USDC SDNY
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MEDINOL LTD.,
Plaintiff-Appellant

v.

CORDIS CORPORATION, JOHNSON & JOHNSON,
Defendants-Appellees

2015-1027

Appeal from the United States District Court for the Southern District of New York in No. 1:13-cv-01408-SAS, Judge Shira Ann Scheindlin.

ON MOTION

Before MOORE, LINN, and WALLACH, *Circuit Judges.*

LINN, *Circuit Judge.*

O R D E R

The parties jointly move for summary affirmance of the district court's decision in this case.

Summary affirmance is warranted "when the position of one party is so clearly correct as a matter of law that no substantial question regarding the outcome of the appeal exists.” *Joshua v. United States*, 17 F.3d 378, 380 (Fed. Cir. 1994).

The parties agree that this court’s decision in *SCA Hygiene Products Aktiebolag v. First Quality Baby Products, LLC*, No. 2013-1564, ___ F.3d ___ (Fed. Cir. Sept. 18, 2015) (en banc) controls the outcome of the present appeal.

Accordingly,

IT IS ORDERED THAT:

(1) The motion for summary affirmance is granted.

(2) Each party shall bear its own costs.

(3) All other pending motions are denied as moot.

FOR THE COURT

/s/ Daniel E. O’Toole
Daniel E. O’Toole
Clerk of Court

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